REMARKS

Favorable reconsideration of the above-identified application is requested in view of the above amendments and the following remarks.

Examiner Larose is thanked for the careful examination of this application and for indicating that Claims 7, 8, 20, 21, 33 and 34 are allowable. Claims 1-36 are pending in this application, with Claims 1, 14, 24 and 27 being independent.

Claims 1-4, 6, 9, 10, 14-17, 19, 22, 24-30, 32, 35 and 36 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Honda* (Translation of Japanese Patent No. 01-025285A); Claims 5, 18 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Honda* in view of *Fujimoto* (U.S. Patent No. 5,930,385); Claims 11-13 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Honda* in view of *Adegeest* (U.S. Patent No. 5,872,573).

Some of the claimed subject matter relates to image processing and specifically, colors of a first image being detected and colors of a second image being detected. A uniform adjusting color is specified that makes the first image data recognizable against all colors of the second image data that serves as the first image data's background. Claims 1, 14, 24 and 27 define combinations of features generally relating to that subject matter.

As noted above, Claims 1, 14, 24 and 27 are rejected as being anticipated by *Honda*. Basically, *Honda* discloses the technology of superimposing characters/patterns based on the color of the background to make the characters/patterns stand out from the background (original image) clearly to make them more easily identifiable. As described on the middle paragraph of page 8 of *Honda*, image signals of a full-color image of a natural picture are inputted via the

image input unit and are stored in the image display memories 1R, 1G, 1B each designated for colors R, G, B respectively. With regard to the character/pattern overlay, the character code is read into the character generator 31, and a certain character dot pattern is created, thereby resulting in a bit map comprised of binary bits "1" and "0". Based on the background color, the color of the character/pattern is selected so as to be identifiable.

The previous Official Action alleged that the input of binary bits "1" and "0" can be interpreted as disclosing detection of color data. That is, it was posed that the binary data can be interpreted as representing "black" and "white" respectively, i.e., colors. Also, the previous Official Action indicated that it was believed that the claims in the present application did not explicitly define that the first and second image data are utilized.

As noted in the Response of July 1, 2005, the above-noted positions presented in the Official Action are not agreed with. However, in the interest of furthering prosecution, Claims 1, 14, 24 and 27 are amended to clarify that a uniform adjusting color is based on the colors of the first image data and the colors of the second image data.

Honda does not disclose that subject matter, and in fact discloses the opposite. *Honda* discloses determining the color of the characters/patterns <u>based only on the background image colors</u>, not the *alleged* color qualities of the bits "1" and "0" of the characters/patterns. For example, on the bottom of page four of *Honda*, it is stated that "colors presumed to be optimal by an operator are determined as the colors of the overlaid characters & patterns based on their hypothetical contrasts against the displayed background image." Therefore, it is

clear that *Honda* does not determine the color of the characters/patterns based on colors of a first image data and colors of a second image data as defined by the claims.

For at least the reasons stated above, Claims 1, 14, 24, and 27 are allowable. Also, Claims 2-4, 6, 9, 10, 15-17, 19, 22, 25-30, 32, 35 and 36 are allowable at least by virtue of their dependence upon allowable independent claims, and because they define features that additionally define over the cited document.

Claims 5, 11-18, 23 and 31 are rejected as being unpatentable over *Honda* in view of various secondary references. As the secondary references do not satisfy the deficiencies of the rejections of Claims 1, 14, 24, and 27, and as Claims 5, 11-18, 23 and 31 depend therefrom, they are allowable for at least the same reasons.

Claims 17, 18 and 23 are amended to change the word "comprising" to -- comprises--. Claims 4, 17 and 30 are amended to include a comma in the proper location. Those amendments are merely formal, do not, and are not meant to affect the claim scope.

In view of the above amendments and remarks, Applicant respectfully requests that all the rejections be withdrawn and that this application be allowed in a timely manner.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any

remaining issues pertaining to this application; the Examiner is kindly invited to call

the undersigned counsel for Applicant regarding the same.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 27, 2005   By: _Kevin Brayton McGoff_

Kevin Brayton McGoff
Registration No. 53,297

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

VA 769054.1